

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

TO: Scott Honji
16219 NE 58th Court
Redmond, WA 98052

PROJECT: Honji Huang Short Plat (2 lots)

APPLICATION: Short Plat: SP13-00004

DATE OF DECISION: July 20, 2016

REQUEST: Subdivide a 123,532 square foot parcel (2.84 acres) into two (2) lots for construction of single family residences. Lot 1 would contain 71,854 square feet (SF) and Lot 2 would contain 51,678 square feet (SF). The property is currently undeveloped. There are steep slopes (over 40%) along the east portion of the site. The lots would be accessed from a private street, an extension of 227th Avenue SE.

LOCATION: The property is located at 50XX 227th Avenue SE. (south of SE 51st and east of 227th Ave. SE). See location on vicinity map, Exhibit 2.

PARCEL NUMBER: 2124069081

SUBAREA: The property is located within the "North Issaquah" subarea.

SITE AREA: 123,532 square feet (2.84 acres)

COMPREHENSIVE PLAN DESIGNATION: "Low Density Residential"

ZONING: "SF-S" (Single Family Suburban)

DECISION MADE: On July 20, 2016, the Development Services Department conditionally approved the application for the Honji Huang Short Plat, application SP13-00004. Approval of the application is based on the revised plan submittal dated June 18, 2016, Exhibits 1- 18, and is subject to the following conditions:

1. The applicant shall comply with the SEPA Mitigated Determination of Nonsignificance (MDNS) issued on January 21, 2015. The mitigation measures of the MDNS are:
 - 1) The buffer from the top of the 40% steep slope line shall be a minimum of 25 feet. Topography in the southwest corner of the site shall be verified to

determine the location of the 40% slopes. This may require increasing the 10-foot steep buffer proposed in the southwest corner of the site. The steep slope and steep slope buffer area shall be protected by recording a Native Growth Protection Easement (NGPE).

- 2) The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.
 - 3) There is an off-site wetland and the buffer may extend onto the northeast corner of the site. The wetland buffer area shall be verified, shown on the short plat plans and protected with a Native Growth Protection Easement (NGPE).
 - 4) The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.
2. The Critical Areas steep slope buffer shall be shown as a Native Growth Protection Easement (NGPE) on the short plat plans. The off-site wetland buffer which extends onto the northeast corner of the subject property shall also be shown and labelled on the short plat plans and protected in a Native Growth Protection Easement. Notes for NGPE use restrictions shall be added to the short plat plans; please request NGPE language from the Development Services Department.
 3. A 15-foot building setback is required from the steep slope and wetland buffer edge. The 15-foot building setback (BSBL) shall be shown on the short plat plans.
 4. Trees shown to be retained on the Tree Preservation Exhibit (Exhibit 8) shall be protected by fencing during construction. Building and construction permits shall show the retained trees and tree protection fencing. Approved tree protection measures shall be in place prior to any construction activity. There shall be no clearing, grading, or storage of construction materials within the tree protection area.
 5. Impact and mitigation fees will be due with the issuance of Building Permits for the new lot, including 1) Transportation Impact Fee, 2) Schools Impact Fee, 3) Parks Impact Fee, 4) Fire Impact Fee, 5) General Government Mitigation Fee, and 6) Police Mitigation Fee, or as amended by the Issaquah Municipal Code.

Recording of the Short Plat:

6. Following expiration of the appeal period of this Notice of Decision, provide the City with a signed mylar copy of the approved short plat. Upon City signature of the Mylar, the applicant shall record the approved Short Plat with the King County Department of Records and Elections. The Short Plat shall not be deemed formally approved until so filed.
7. The land use file number shall be placed on the mylar sheets. The short plat file number is: SP13-00004.

8. Three copies of the recorded Short Plat drawings shall be provided to the Development Services Department within ten (10) days of recording with the King County Department of Records and Elections.
9. One (1) electronic copy of the final plans shall be provided in a software format acceptable to the Public Works Department.
10. All new property corners of the lots shall have a rebar and cap set per current WAC guidelines for land surveys.

REASONS FOR DECISION:

1. The application was received on July 17, 2013 and a Notice of Complete Application was issued on August 2, 2013. The applicant submitted a revised Short Plat Plan on June 18, 2016 and a revised Tree Preservation Exhibit on July 20, 2016.
2. The Land Use Code (IMC) 18.04.400 authorizes the Development Services Department to review the Short Plat through the Level 2 Review process (administrative review and approval). The Level 2 Review requires public notice to property owners within 300 feet of the site and a decision by the Development Services Department.
3. A notice of the short plat was mailed to surrounding property owners within 300 feet of the site on August 12, 2013, and a 2 week comment period was provided ending on August 26, 2013.
4. The property is zoned Single Family Suburban (SF-S). Single family houses are a permitted land use in this zone. Approval of the 2-lot short plat would allow for construction of a single family residence on each lot. Development standards including building setbacks, impervious surface limits and building height will be reviewed with Building Permit applications.
5. The minimum lot size in the SF-S zone is 9,600 square feet according to the District Standards Table, IMC 18.07.360. The 2 proposed lots meet the minimum lot size requirement.
6. A Certificate of Transportation Concurrency (CON13-00008) was issued on July 26, 2013. The short plat would generate 2.02 PM peak hour trips for the two lots created. The proposal is consistent with the requirements of the Transportation Concurrency Management Code (IMC Chapter 18.15). No further review for transportation is required for the short plat proposal. Certificate of Transportation Concurrency is entered as Exhibit 14.
7. A SEPA Mitigated Determination of Nonsignificance (MDNS) was issued for the project on January 21, 2015, followed by a 21-day combined comment/appeal period starting on January 21, 2015 and ending on February 11, 2015. The MDNS is entered as Exhibit 18.
8. The site includes 1.2 acres of steep slope critical areas (slopes greater than 40%), located along the east portion of the parcel. The Critical Area Regulations (IMC 18.10.580) require a 50-foot buffer from the top or toes of slopes over 40%, plus a building setback of 15 feet from the outer edge of the steep slope buffer. Steep slope buffers may be reduced to a minimum of 10 feet pursuant to a critical areas study. A Geologic Assessment (Terry

Swanson, received July 10, 2014), Exhibit 16, was prepared to evaluate geologic and slope conditions and the report recommended a reduction in the steep slope buffer from 50 feet to a range of 25 to 10 feet, plus a 15-foot building setback. The report concluded the reduced steep slope buffer would maintain an adequate margin of safety. The steep slope buffer shown on the short plat plan is consistent with the buffer widths as recommended in the geologic assessment.

9. Tree retention requirements are required for subdivisions, including short plats, per IMC 18.12.1385. 30% of the total caliper (dbh) of all significant trees in the developable site area is required. The Tree Preservation Exhibit (Exhibit 8) shows the existing significant trees in the developable site area. The site includes 106 trees with a total caliper of 1,728 inches. The plan indicates 32 trees, with a total caliper of 574 inches (33% of the total tree caliper) are proposed to be retained. Each of the proposed lots would meet the 30% tree retention requirement. Tree protection measures are required to be installed prior to construction activity (Condition 4).

10. The Short Plat must meet the requirements of IMC 18.13.380 "Design Standards":

- A. *Lands which the Planning Director/Manager has found to be unsuitable due to flood, inundation, or swamp conditions likely to be harmful to the safety, welfare and general health of the future residents, and the Planning Director/Manager considers inappropriate for development, shall not be subdivided unless adequate means of control have been formulated by the applicant and approved by the Public Works Director.*

Response: The site contains critical areas including steep slopes on the east half of the site and the buffer of an off-site wetland extends onto the northeast corner of the site. Critical area buffers and setbacks are identified on the short plat drawing and will be required to be protected by recording in a Native Growth Protection Easement (NGPE). The 2 proposed lots have an adequate building area outside the critical areas, buffers and building setbacks from the buffers.

- B. *The applicant shall furnish a soil test if required by the Public Works Director. The Public Works Director shall determine whether control measures are warranted. The applicant shall be responsible for the design, installation and expense of any device or corrective measures subject to the approval of the Public Works Director.*

Response: Soils reports will be required with building permit applications for construction of the future houses on the site.

- C. *All lots shall abut upon or have adequate access, by easement or private road, to a dedicated or deeded public right-of-way. In the event that an existing abutting public right-of-way does not meet the minimum width standards, additional right-of-way may be required prior to approval of a short subdivision.*

Response: Both lots will have direct access onto a private street, an extension of 227th Avenue SE. Street improvements were previously approved under Site Works Permit No. SW14-00058.

- D. *The minimum land area for each lot shall be no less than the minimum allowed by this Code (District Standards Table, IMC 18.07.360) for the specific zone in which*

the proposed short subdivision is planned to be located, plus any additional area to be used for access easement and/or private roadway.

Response: The SF-S (Single Family Suburban) zoning requires a minimum lot size of 9,600 square feet. Lot 1 is 71,854 square feet and Lot 2 is 51,678 square feet. The 2 lots exceed the required minimum lot size, not including the area of the access easement.

11. IMC 18.13.390 "Required Improvements" states that the Planning Director/Manager shall determine that the following improvements are available for each parcel created by the division of land:

- A. Adequate water supply when necessary;*
- B. Adequate method of sewage disposal;*
- C. Provision for appropriate deed, dedications and easements;*
- D. Storm drainage improvements and storm sewers when necessary;*
- E. Fire hydrants when necessary;*
- F. Street and alley paving, and concrete curbs, gutters and sidewalks when necessary;*
- G. Street lights when necessary;*
- H. Adequate provisions for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.*

Summary: The proposal meets the short plat requirements, A – H, as discussed above.

12. The City has determined that appropriate provisions are available or have been made for public health, safety, and general welfare.
13. Impact fees will be required for the building permit on the newly created lot and will be assessed when building permits are issued.
14. The application was routed to City Departments for review and comment. Those comments are incorporated into this Notice of Decision.
15. The decision of this Notice of Decision is appealable within fourteen (14) of the Notice of Decision and must be filed with the Development Services Department.
17. In accordance to IMC 18.13.400, all short plats shall be filed with the King County Department of Records and Elections and shall not be deemed formally approved until so filed. The filing of the short plat shall be the responsibility of the applicant. Every short plat filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the applicant (entered as Exhibit 5). A copy of the recorded plat shall be returned to the Issaquah Permit Center within ten (10) days of recording along with an electronic copy in a format acceptable to the Public Works Department.

EXPIRATION OF SHORT PLAT

The final decision approving the Short Plat is valid for three years as specified by IMC 18.04.220-D, or as amended by the Land Use Code.

EXHIBIT LIST:

1. Short Plat Application, SP13-00004, received 7-17-2013,
2. Vicinity Map
3. Affidavit of Ownership, received 7-17-2013
4. King County Certificate of Water Availability (Sammamish Plateau Water & Sewer District), received 7-17-2013
5. King County Certificate of Sewer Availability (Sammamish Plateau Water & Sewer District), received 7-17-2013
6. Wetland Reconnaissance and Stream Location report ((3 pages) by The Watershed Company, dated July 6, 2005, received 7-17-2013
7. Short Plat drawing (Preliminary), sheet 1 of 1, received 7-17-2013, plans resubmitted June 18, 2016 including Short Plat drawing.
8. Tree Preservation Exhibit, revised drawing submitted 7-20-2016
9. Access and Drainage Easement (5 pages), received 7-17-2013
10. Geotechnical Investigation report (42 pages), received 7-17-2013
11. Easement and Joint Maintenance Agreement (11 pages), received 12-5-2013
12. Statutory Warranty Deed (with list of easements granted – including ingress and egress, road and utilities), received 11-25-2013
13. Steep slopes GIS map (40% slopes), by Development Services Department
14. Certificate of Transportation Concurrency, CON13-00008, issued 7-26-2013
15. Geologic Assessment (15 pages), received 7-10-2014
16. Steep slope Reconnaissance Report, by Terry Swanson, received 7-22-2014
17. Environmental Checklist, received 7-17-2013
18. SEPA Determination (MDNS), dated 1-21-2015



Peter Rosen, Senior Environmental Planner
Development Services Department



Date